

REMARKS

At the time of the most recent Office Action, claims 1-22 were pending in the above-referenced application. In the Office Action, the Examiner rejected claims 1-22. By this amendment, claims 1, 13, 19, and 20 have been amended, and claim 23 has been added. In view of the following remarks, reconsideration and allowance of claims 1-23 are respectfully requested.

Rejection of Claims 1-22 Under 35 U.S.C. § 112, Second Paragraph

The Examiner rejected claims 1-22 under 35 U.S.C. § 112, second paragraph, for indefiniteness. The Examiner stated that the limitation “‘may be’ has been used throughout the claims and render[s] them vague and indefinite.” The limitation “may be” has been eliminated from all of the claims. Accordingly, Applicant respectfully submits that claims 1-22 satisfy 35 U.S.C. § 112, second paragraph, and requests that the rejection be withdrawn.

Rejection of Claims 1-22 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 1-22 under 35 U.S.C. § 103(a) based on Japanese Patent Application No. 10124516 (hereinafter, “JP516”) in view of U.S. Patent No. 5,608,622 to Church (hereinafter, “Church”). This rejection is respectfully traversed.

Claims 1-12 and 19-21

Independent claims 1, 19, and 21 each recite, in pertinent part:

applying a translation program to [a] communication to generate a machine translation; [and]

applying a quotation program to the communication to generate a quotation for [a] human translation.

JP516 relates to “an electronic mail translator that receives electronic mails and translates them into the languages of the addressees.” JP516 Translation, ¶ 1. The electronic mail translator “infers the original language of an electronic mail from the sender’s address and automatically engages a translator to translate the document from the sender’s language to the addressee’s language.” JP516 Translation, ¶ 5. However, as correctly pointed out by the Examiner, JP516 does not disclose or suggest “applying a quotation program to the

communication to generate a quotation for [a] human translation,” as recited in the independent claims.

Church does not overcome the deficiencies of JP516. Church discloses a translator’s assistant 101 which is “intended to be used by a translation service bureau and its translators.” Church, col. 3, lines 49-50. The translator’s assistant 101 includes a translation manager part 103 which “is used by employees of the service bureau whose job it is to manage the production of translations by the bureau’s translators.” Church, col. 3, lines 54-57. The translation manager part 103 includes a database 139, which includes “information about the translation jobs being done by the translation bureau.” Church, col. 4, lines 41-42. This information is referred to as the job details 142.

Church, however, does not disclose or suggest “applying a quotation program to the communication to generate a quotation,” as recited in the independent claims. As stated in Church:

When the translation service bureau receives a job from a client, it enters information about the job in job details 142 and then analyzes the document to be translated and gives the customer a price. If the client decides to go ahead with the translation, the document to be translated is input to data base 139.

Church, col. 5, lines 2-7 (emphasis added). In other words, the document to be translated is not input into the database 139 until after the quotation is prepared. Thus, no “program” of any kind is “appl[ied] ... to the communication” to generate a quotation. Rather, an individual at the translation service bureau prepares the quotation for the human translation.

“To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.” MPEP § 2143.03. However, neither JP516 nor Church, alone or in combination, teach or suggest “applying a quotation program to the communication to generate a quotation,” as recited in independent claims 1, 19, and 21. Accordingly, Applicant respectfully submits that these claims are patentably distinct from the cited references. In addition, claims 2-12 and 20 depend either directly or indirectly from claim 1. Therefore, Applicant respectfully submits that these dependent claims are patentably distinct from the cited references for at least the same reasons.

Claims 13-18, 22

Amended independent claim 13 recites, in pertinent part:

third computer-implemented means for generating a quotation for human translation of said foreign language communication; [and]

fourth means for generating a machine translation of the foreign language communication.

Support for the additional limitation that the “means for generating a quotation” are “computer-implemented” may be found in the specification on page 12, lines 8-11. Applicant therefore submits that no new matter has been added.

As stated previously, JP516 does not contain any reference to a quotation for a human language translation. In addition, Church teaches that the document to be translated is not input into the database 139 until after the quotation for a human translation is prepared. Thus neither JP516 nor Church, alone or in combination, teach or suggest “computer-implemented means for generating a quotation for human translation of said foreign language communication,” as recited in claim 13.

Because the references cited by the Examiner do not teach or suggest all the limitations in claim 13, Applicant respectfully submits that claim 13 is patentably distinct. In addition, claims 14-18 and 22 depend either directly or indirectly from claim 13. Therefore, Applicant respectfully submits that these dependent claims are patentably distinct from the cited references for at least the same reasons.

As a final matter, Applicant respectfully submits that claims 13-22 are not the same in scope and content as claims 1-12, as the Examiner suggests in the Office Action. However, as described above, claims 1-12 and 13-22 are patentably distinct from the cited references.

New claim 23

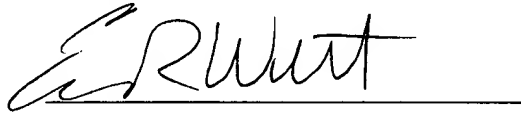
All of the limitations recited in new claim 23 are also recited in independent claim 1 and discussed throughout the specification. Thus, Applicant respectfully submits that no new matter has been added. Applicant also respectfully submits that new claim 23 is distinct from claim 1. In particular, in claim 1, several of the recited steps are qualified by the limitation “if required.” The “if required” limitation does not appear in claim 23.

In view of the foregoing, claims 1-23 are patentably distinct from the cited references.
Reconsideration and allowance of claims 1-23 are respectfully requested.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'E. R. Witt', is written over a horizontal line.

Evan R. Witt
Reg. No. 32,512
Attorney for Applicant

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MADSON & METCALF
Gateway Tower West
15 West South Temple, Suite 900
Salt Lake City, Utah 84101
Telephone: 801/537-1700

VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Twice Amended) A method for automatic processing of electronic communication including the steps of:

- sending a communication from a sender in a first language;
- identifying the communication as a foreign language communication;
- determining if a translation of the communication to a second language is required by the recipient;
- applying a translation program to the communication to generate a machine translation if a translation of the communication to a second language is required by a recipient;
- determining if a human translation of the communication to the second language [may be] is required by the recipient;
- applying a quotation program to the communication to generate a quotation for the human translation if [a] the human translation of the communication to the second language [may be] is required by the recipient; and
- forwarding the communication and, if required, the machine translation and, if required, the quotation to the recipient.

13. (Once Amended) A system for automatic processing of a foreign language communication, the system comprising:

- first means for sending a communication over a communications network;
- second means for receiving said communication and identifying said communication as a foreign language communication;
- third computer-implemented means for generating a quotation for human translation of said foreign language communication to a native language;
- fourth means for generating a machine translation of the foreign language communication to the native language;
- fifth means for forwarding said communication, said machine translation and said quotation to an intended recipient; and
- sixth means for said intended recipient to receive said communication, said machine translation and said quotation.

19. (Once Amended) A computer in a networked computer environment, said computer programmed to perform the steps of:

- receiving a communication from a sender in a first language;
- identifying the communication as a foreign language communication;
- determining if a translation of the communication to a native language is required by the recipient;
- applying a translation program to the communication to generate a machine translation if a translation of the communication to a native language is required by a recipient;
- determining if a human translation of the communication to the native language [may be] is required by the recipient;
- applying a quotation program to the communication to generate a quotation for the human translation if the human translation of the communication to the native language [may be] is required by the recipient; and
- forwarding the communication and, if required, the machine translation and, if required, the quotation to the recipient.

20. (Once Amended) The method of claim 1 further including the steps of:

- the recipient formulating a response to the communication;
- identifying the response as a native language response to the foreign language communication;
- determining if a machine translation of the native language response to generate a foreign language response is required by the sender;
- applying a machine translation program to the native language response to generate a foreign language response if required by the sender;
- determining if a human translation of the native language response to generate a foreign language response [may be] is required by the sender;
- if a human translation of the native language response to generate a foreign language response [may be] is required by the sender, applying a quotation program to the native language response to generate a quotation for the human translation; and
- forwarding the foreign language response and, if required, the quotation, to the sender.

23. (New) A method for automatic processing of electronic communication including the steps of:

- sending a communication from a sender in a first language;
- identifying the communication as a foreign language communication;
- applying a translation program to the communication to generate a machine translation;
- applying a quotation program to the communication to generate a quotation for a human translation; and
- forwarding the communication, the machine translation, and the quotation to a recipient.